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OFFICIAL USE

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Sent To William A. Raiola		
Street, Apt. No. or P.O. Box No. Ponce DeLeon Ave.		
City, State, ZIP+4 Clewiston, FL 33440		
PS Form 3800, January 2001		See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Received by (Please Print Clearly) Andrea Solis B. Date of Delivery 1-17-03</p> <p>C. Signature Andrea Solis <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1 Article Addressed to:</p> <p>William A. Raiola, Vice President of Sugar Processing Operations Clewiston Sugar Mill and Refinery United States Sugar Corporation 111 Ponce DeLeon Avenue Clewiston, FL 33440</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

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UNITED STATES POSTAL SERVICE

19
First-Class Mail
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Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

RECEIVED
JAN 22 2003
BUREAU OF AIR REGULATION

32399+2400 01

Florida Department of
Environmental Protection

Memorandum

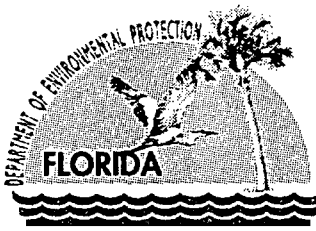
TO: Howard Rhodes, Division of Air Resources Management
THRU: Trina Vielhauer, Bureau of Air Regulation *TV*
Al Linero, New Source Review Section
Scott Sheplak, Title V Section *SS*
FROM: Jeff Koerner, New Source Review Section *JK*
DATE: January 10, 2003
SUBJECT: Project No. 0510003-020-AC
United States Sugar Corporation
Clewiston Sugar Mill and Refinery
Boiler No. 3, Reduced Steam Pressure
Title V Air Operation Permit No. 0510003-014-AV

Attached for your approval and signature is an exemption from the requirement to obtain an air construction permit modification. Boiler No. 3 is currently permitted to operate at a maximum rate of 265 MMBtu per hour to produce a maximum of 130,000 lb/hour of steam at 650° F and 600 psig. U.S. Sugar submitted an application to also recognize alternate operation of Boiler No. 3 at a reduced steam pressure of 200 psig. The maximum heat input and fuel consumption would remain the same, but the new condition will result in a slightly lower maximum steam generation rate of 127,000 due to differences in enthalpies.

It is a common practice for operators to reduce the operational steam pressure on boilers. It is possible that an emissions unit could increase emissions due to operation at lower loads. However, based on the specific details of this project, the alternate condition will not result in any increases in emissions and does not appear to conflict with any requirements in the current Title V air operation permit. I believe that the application also represents a 7-day notification of an operational change that would not require a revision of the Title V permit in accordance with Rule 62-213.410(3), F.A.C. The Title V Section concurs. I recommend your approval and signature to exempt this request from the requirement to obtain an air construction permit.

Day #74 is February 3, 2003.

Attachments



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

January 15, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. William A. Raiola, V.P. of Sugar Processing Operations
Clewiston Sugar Mill and Refinery
United States Sugar Corporation
111 Ponce DeLeon Avenue
Clewiston, FL 33440

Re: Project No. 0510003-020-AC
United States Sugar Corporation, Clewiston Sugar Mill and Refinery
Boiler No. 3, Alternate Steam Conditions

Dear Mr. Raiola:

On December 2, 2002, the Department's South District Office received an application for construction permit to recognize operation of existing Clewiston Boiler No. 3 at a reduced steam pressure of 200 psig. On December 5, 2002, the Department's Bureau of Air Regulation received the application that was forwarded by the District Office for review of possible conflicts with previously issued Permit No. PSD-FL-272. This permit more specifically regulates Clewiston Boiler No. 4, but does specify some restrictions on the operation of Boiler No. 3. The request to operate Boiler No. 3 at a reduced steam pressure of 200 psig does not conflict with the conditions of this previously issued permit.

A review of the application indicates that operation of Boiler No. 3 at a reduced steam pressure will not cause an increase in either hourly or annual emissions. The alternate operating condition will result in a lower maximum steam generation of 127,000 lb/hour, but does not appear to conflict with any requirements of the existing Title V air operation permit. In accordance with Rule 62-4.040, F.A.C., the Department determines that the request does not require an air construction permit. In addition, the Department considers the application to be the notification required by Rule 62-213.410(3), F.A.C. (Changes Without Permit Revision). Boiler No. 3 may be operated at a reduced steam pressure of 200 psig in compliance with all of the existing requirements in the current Title V air operation Permit No. 0510003-014-AV. A copy of this letter shall be filed with the Title V air operation permit. This permitting decision is issued pursuant to Chapter 403, F.S.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a

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waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.


Persons subject to regulation pursuant to any federally delegated or approved air program should be

aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.


Howard L. Rhodes, Director
Division of Air Resources Management

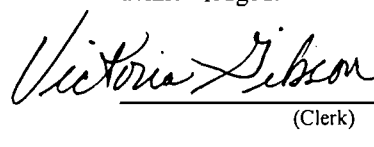
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 1/15/03 to the persons listed:

Mr. William A. Raiola, USSC*
Mr. David Buff, Golder Associates
Mr. Ron Blackburn, SD
Mr. Gregg Worley, EPA Region 4

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) January 15, 2003 (Date)



**Golder
Associates**

FILE

Golder Associates Inc.

6241 NW 23rd Street, Suite 500
Gainesville, FL 32653-1500
Telephone (352) 336-5600
Fax (352) 336-6603
November 27, 2002

0137629

Florida Department of Environmental Protection
South District
2295 Victoria Avenue
Ft. Myers, FL 33901

RECEIVED

DEC 05 2002

BUREAU OF AIR REGULATION

Attention : Mr. Ron Blackburn, P. E.

RE: United States Sugar Corporation (U.S. Sugar) – Clewiston Mill, Boiler No. 3

Dear Mr. Blackburn:

United States Sugar Corporation (USSC) operates Boiler No. 3 at its Clewiston sugar mill and refinery located in Hendry County. Boiler No. 3 currently operates under Title V permit No. 0510003-014-AV, issued April 8, 2002. The purpose of this correspondence is to request a change in operating conditions for Boiler No. 3. As described below, this change will not affect the maximum heat input rate of the boiler, and therefore will not affect actual emissions from the boiler.

Boiler No. 3 is a 265 MMBtu/hr bagasse/oil-fired boiler, that operates nominally at 650 deg. F and 600 psig. At these design 24-hour average steam conditions, the maximum steam production rate for the boiler is 130,000 lb/hr (maximum 24-hour average). The current Title V permit reflects this steam limitation in specific condition III.D.1 of the permit.

For operational flexibility, USSC desires to have the option of operating the boiler at design steam conditions of 650°F and 200 psig. The maximum steam production rate under these conditions is 126,800 lb/hr (maximum 24-hour average).

The pertinent information for the two operating conditions is presented in Table 1. Note that these calculations are based on a thermal efficiency of 55 percent. As shown, the reduction in operating pressure results in a reduction in steam rate.

Since the maximum heat input rate to Boiler No. 3 will not change from the reduction in operating pressure, the fuel input rate and actual emissions will not be affected.

It is therefore requested that Boiler No. 3 be allowed to operate at either design steam condition, i.e., at 600 psig or at 200 psig. Attached with this letter are the appropriate pages of the air construction permit application form for Boiler No. 3.

Please call or e-mail me if you have any questions concerning this request.

Sincerely,
GOLDER ASSOCIATES INC.

David A. Buff

David A. Buff, P.E., Q.E.P.
Principal Engineer

DB/bjp/jkw

Enclosure

cc: Don Griffin

RECEIVED

DEC 02 2002

D.E.P. - South District